

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFREY SMITH
Plaintiff

v.

NO. 04-10847WGY

CRANBERRY PLAZA MOBIL, INC.
Defendant

PLAINTIFF'S MOTION TO AMEND COMPLAINT PURSUANT TO FED. R. CIV. P. 15(a).

Now comes the Plaintiff, Jeffrey Smith and moves this Honorable Court pursuant to Fed. R. Civ. P. 15(a) to allow him to amend his complaint. In support of the motion, the Plaintiff states that his counsel named the improper defendant. Counsel has confirmed through the town the correct name and address for the defendant. No responsive pleading has been filed in this matter. The Plaintiff's Amended Complaint is attached is exhibit "A".

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court allow his Motion To Amend.

Respectfully submitted,

Jeffrey Smith
By His Attorney,

Edward N. Garno
13 Hurd Street
Lowell, MA 01852
978-687-7805
BBO#564378

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing on the defendant by mail on May 22, 2004.

 5/22/04
Edward N. Garno date